

ARKANSAS COURT OF APPEALS

DIVISION III
No. CACR08-1064

TYRONE D. THOMPSON
APPELLANT

V.

STATE OF ARKANSAS
APPELLEE

Opinion Delivered May 13, 2009

APPEAL FROM THE SEBASTIAN
COUNTY CIRCUIT COURT,
[NO. CR-06-1220, CR-06-1221, CR-
07-729]

HONORABLE JAMES O. COX,
JUDGE

REBRIEFING ORDERED

JOSEPHINE LINKER HART, Judge

Tyrone D. Thompson appeals from an order of the Sebastian County Circuit Court revoking his suspended sentences for second-degree forgery, third-degree domestic battery, second offense, and Class D felony non-support. The trial court granted the State's petition to revoke based on Thompson's failure to pay child support following his June 6, 2007 guilty plea in the felony non-support case. It sentenced Thompson to two years in the Arkansas Department of Correction followed by an additional eight-year suspended imposition of sentence.

On appeal, Thompson argues that the State failed to prove by a preponderance of the evidence that he willfully and inexcusably failed to pay the full amount of child support and restitution. We note, however, that Thompson failed to include in his addendum the original disposition order in this case, the terms and conditions of his suspended sentence,

and the payment ledger that was introduced into evidence. We therefore order rebriefing.

Because the above-referenced documents were omitted from Thompson's addendum, his brief does not comply with Rule 4-2 of the Rules of the Arkansas Supreme Court and the Arkansas Court of Appeals. Rule 4-2(a)(8) requires that an appellant's addendum contain all "relevant pleadings, documents, or exhibits essential to the understanding of the case." These documents are essential to our understanding of the case, as without them we do not know whether the court had jurisdiction, whether he was subject to the conditions that he was revoked upon, and whether there was a preponderance of the evidence to support the revocation. Thompson's addendum is thus deficient, and we direct appellant to cure the deficiency by filing a substituted abstract, addendum, and brief within fifteen days from the date of the entry of this order. Ark. S. Ct. R. 4-2(b)(3).

Rebriefing ordered.

GLADWIN and KINARD, JJ., agree.